

## MINUTES OF REGULAR MEETING September 18, 2013

**1. CALL TO ORDER**

Mayor McBride called the meeting to order at 7:00 p.m.

- 2. "Sunshine Law" Announcement-**Adequate notice of this public meeting has been provided by the Annual Notice; posted on Union Township website, published in the Hunterdon County Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk's Office.

**3. FLAG SALUTE****4. ROLL CALL**

	Present	Absent
Mr. Severino	X	
Mr. Mazza	X	
Mr. Hirt	X	
Ms. McBride	X	
Mr. Bischoff	X	

Also present: J.P. Jost, Attorney; Robert Clerico, Township Engineer and Ella M. Ruta, Twp. Clerk

**5. APPROVAL OF PRIOR MEETING MINUTES**

- a. Regular and Executive Session Meeting Minutes of September 4, 2013.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

**6. VISITORS**

- a. Bob Longcor – NJDEP, Proposed Archery Range in Union Township. Mr. Longcor gave a Power Point presentation of the proposed project. The Q&A participants were Skip Jonas and Debbie Hirt. There were comments and questions from the Township Committee and Township Engineer.

**Motion:** Move that the Township endorse NJDEP going forward through the design phase with the proviso that as we end the design phase that it come back before this body or a joint Planning Board/Township Committee body for a review and feedback in a special public meeting.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff	X		X			

Motion carried

- b. Pattenburg Fire Dept. and Rescue Squad.
  - Chief Dan VanFossen gave an update of UT Fire Dept. activities. Mark Mason gave an update of the Rescue Squad activities.
  - Danielle Fryer, Alexandria Township resident. I am here to express my gratitude to the Pattenburg EMS, especially Dan, for their compassionate, loving and quick response. Thank you
- c. John Fallone & Robert Fallone – Renaissance Project. Mrs. Tubman represented Messrs. John & Robert Fallone to voice their concerns. Atty. Tubman reviewed the history of the Renaissance project. Mrs. Tubman is requesting that the Township Committee appoint a Special Engineer for this project as discussed with the Committee and the Township Engineer. The Mayor suggested the issue be discussed in Executive Session and that the Committee would then respond to the Fallones through Atty. Peter Jost .

## 7. REPORTS RECEIVED

- a. Dept. of Roads & Facilities- Week Ending 9/06/13; 9/13/13
- b. Municipal Court – August 2013. Mr. Bischoff commented on the report contents.
- c. Tax Collector – August 2013
- d. Engineer's Report
  - Race St. Project - we advertised for bids opening next Thursday morning. We have sold 10 sets of specs to various contractors. If bids are in order there will be a recommendation awarded on the Oct. 2<sup>nd</sup> meeting.
  - Old municipal building project – I did an informal bid and our strategy is to contact the two low bidders on the last two projects we had for demo. There are a total of six bidders. The Mayor discussed quotes for transferring electric equipment and emptying and removing the oil tank. The Mayor received a bid from Del Val Septic to pump the tanks; we have to locate the tanks. Agreement that the footprint of the garage and enough driveway so that the garage can potentially be rebuilt in the future, if needed.
  - We completed a review of the 470 deeds for the tax map update.
  - M&R bids done last week and it came out well. Kudos to the Road Dept. for getting everything done and ready.
  - DOT applications for Van Syckle Corner and Frontage Rd. filed.

## 8. CORRESPONDENCE / WRITTEN COMMUNICATIONS

Mr. Hirt reported the following correspondence: None

Mr. Severino reported the following correspondence: None

Mr. Bischoff reported the following correspondence: None

Mr. Mazza reported the following correspondence:

- Van Syckles Corner Rd. closing for bridge repair for six weeks.

Ms. McBride reported the following correspondence: None

## 9. PUBLIC COMMENTS - None

## 10. PUBLIC HEARING

## 11. OLD BUSINESS

## 12. NEW ORDINANCE – 1<sup>ST</sup> Reading

**13. NEW BUSINESS**

a. Following resolution introduced for adoption:

**RESOLUTION #2013-103**

**UNION TOWNSHIP, HUNTERDON COUNTY  
Part-Time Recycling Attendant; Michael D. Marosy**

**WHEREAS**, there is a need for a part-time recycling attendant; and

**WHEREAS**, Michael D. Marosy is qualified and has expressed an interest in same;

**THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Union to hire Michael D. Marosy as a part-time recycling attendant, effective August 24, 2013 at an hourly rate of \$11.46 per hour.

Date: September 18, 2013

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff	X		X			

Motion carried

b. Following resolution introduced for adoption:

**RESOLUTION #2013-104**

**TOWNSHIP OF UNION, HUNTERDON COUNTY  
RESOLUTION TO AUTHORIZE DIRECT MAILING**

**WHEREAS**, N.J.S.A. 54:5-26 requires the Tax Collector to advertise the Notice of Tax Sale for four weeks prior to the tax sale; and

**WHEREAS**, N.J.S.A. 54:5-26 provides the Tax Collector may give notice by direct mail in lieu of two publications, the cost of which shall not exceed \$25.00 for each such notice, which cost shall be added to the cost of sale.

**NOW, THEREFORE, BE IT RESOLVED**, on this 18<sup>th</sup> day of September, 2013 by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, that:

1. The Tax Collector may provide notification by Direct Mail in lieu of two publications.
2. The cost of each Direct Mailing shall be set at \$25.00.
3. This resolution shall take effect immediately upon adoption.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
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Mr. Severino			X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff	X		X			

Motion carried

- c. **Mayoral Appointment:** Jim Eschbach as Alternate II Member to replace Joan Church on the Union Township Planning Board/Board of Adjustment.
- d. **Mayoral Appointment:** Lisa Coster as Alternate II Member to replace Jim Eschbach on the Union Township Environmental Commission.

#### 14. REPORTS

##### a. Attorney's Report

- Received \$325,000.00 from Green Acres for Open Space Trust Fund.

##### b. Committee Report

Mr. Hirt reported the following:

- Water egress in the building - will have price for spraying waterproofing on outside of building by mid week. Committee discussed alternative remediation and obtaining proposals. Mr. Hirt was directed to obtain quotes for interior restoration in parallel with outside work
- On my visit to recycling last Saturday, I observed that the attendants need instructions. Mr. Severino will talk to Joe Peake, Recycling Coordinator.

Mr. Severino reported the following:

- Recycle – have a new hire. Within the next week, we'll have an enclosed container for the collection of tires. The container will be next to the electronics 20 ft. container. We will charge \$3 per tire and \$6 per tire with rim.
- We had a problem this week with Waste Management. They did not pull our single stream containers until the following week. Raritan Valley Disposal is willing to take over for \$50.00 less per container.

**Motion: Authorize the Committee Liaison for Recycling to attempt to solicit another bid and award contract for tires to the lowest bidder, not to exceed the quote threshold**

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza	X		X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

Mr. Bischoff reported the following:

- Quote “ The inherent vice of capitalism is the unequal sharing of the blessings. The inherent blessing of socialism is the equal sharing of misery. Winston Churchill
- I am having difficulty reaching Mr. Balzano.
- I asked Mr. Hintz to prepare a re-look of the Master Plan. The Mayor replied that we will see a draft at the next Planning Board meeting.

Mr. Mazza reported the following:

- Scott Horwath, part-time lawn mower operator resigned. Wait until next year to replace.
- Starting tomorrow, we will be fertilizing the fields.
- Highland Ridge Development - repairing multiple collapsed sewers.
- Closing of Van Syckles Corner Rd. Bridge

**c. Mayor's Report**

- Executive Session, negotiations, personnel, potential litigation
- Attended a ribbon cutting ceremony at Kramer Electronics on Sept. 4<sup>th</sup> with Congressman Lance, Freeholder King, Assemblyman Peterson. Kramer has purchased the former Ikaria building.
- I met with the County Engineer and the contractor for the Race Street Bridge Project on Sept. 6<sup>th</sup>. The project is behind 2-3 weeks, now expected completion mid-October.
- We are going to be working on auction photos tomorrow with the Road Dept. at 3:00 p.m. Surplus will be auctioned.
- I received a bulletin from the Division of Fire Safety Fire Code Enforcement regarding outlawed sky lanterns. They are the Japanese lanterns with little candles in them that fly up in the air. Will post to website.
- At Planning Board Meeting, Ms. Manzione requested a variance or ordinance interpretation regarding solar panels that she put on the front of her house. Our Solar Ordinance only allows panels to put on the back of our houses, not on the front. The Board worked with Ms. Manzione. Mayor suggested that Ordinance be opened up so that it can be on the front, back and side.

**Motion: Authorize the Mayor to bring the Solar Ordinance back to the Planning Board Meeting. The Mayor has talked to the Committee and Committee agrees that we should re-look at the Solar Ordinance.**

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

**d. Clerk's Report**

- Twp. Clerk brought to the Committee's attention that the first Wednesday of the month in January of next year is a holiday. She asked if the Committee would like to reorganize on that day or choose an alternate date before January 10, 2014. The Committee agreed to reorganize on Thursday, January 2, 2014.

**Motion: To hold the Union Township Re-organization Meeting on Thursday, January 2, 2014.**

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
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Mr. Severino	X					
Mr. Mazza						
Mr. Hirt		X				
Ms. McBride						
Mr. Bischoff						

Motion carried by unanimous voice vote

**15. PUBLIC COMMENTS - none****16. PAYMENTS OF BILLS**

The approved list of bills and all claims against the Township of Union as appearing in the Claims Register of this date paid and that all checks listed hereinafter issued in payment thereof.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza	X		X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

**17. EXECUTIVE SESSION**

The following Resolution introduced for adoption:

**RESOLUTION #2013 - 105**

**Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12**

**WHEREAS**, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

**WHEREAS**, the *Open Public Meetings Act*, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. \_\_\_\_\_ *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
2. \_\_\_\_\_ *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
3. \_\_\_\_\_ *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection,

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rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

4. \_\_\_\_\_ *Matters Relating to Collective Bargaining Agreements:* Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
5. \_\_\_\_\_ *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds:* Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
6. \_\_\_\_\_ *Matters Relating to Public Safety and Property:* Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
7.   X   *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.
8.   X   *Matters Relating to the Employment Relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.
9. \_\_\_\_\_ *Matters Relating to the Potential Imposition of a Penalty:* Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Union, assembled in public session on September 18, 2013 at 9:55 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride			X			

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Mr. Bischoff			X			
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Motion carried

Motion to come out of Executive Session at about 10:30 p.m.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff	X		X			

Motion carried

The following is action taken by the Committee after Executive Session:

**Motion - As a result of our conversations earlier this evening with Fallon Properties, it has been decided that a subcommittee consisting of Mayor McBride, Committeeman Bischoff, Attorney Jost and Engineer Clerico meet together with the Fallones and their Attorney in an attempt to mediate the Renaissance Development engineering dispute.**

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						
Mr. Mazza		X				
Mr. Hirt						
Ms. McBride						
Mr. Bischoff	X					

Motion carried by unanimous favorable vote

**18. ADJOURNMENT** – There being no further business to come before the Township Committee at this time, Mr. Mazza made a motion to adjourn the meeting at 10:30 p.m. Mr. Severino seconded the motion. Motion carried by unanimous favorable roll call vote.

Prepared by: Patricia Essig, Deputy Clerk

Michele McBride, Mayor